IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

WEDNESDAY, THE 28TH FEBRUARY 2007 / 9TH PHALGUNA 1928

WP(C).No. 6775 of 2007(D)

PETITIONER:

E.E.SURENDRAN,
EXCISE GUARD, EXCISE CHECK POST,
BODIMETTU, IDUKKI DISTRICT.

BY ADV. SRI.M.V.BOSE
SRI.VINOD MADHAVAN
SMT.NISHA BOSE

RESPONDENTS:

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1. THE STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
EXCISE DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE ASSISTANT EXCISE COMMISSIONER,
IDUKKI DISTRICT, IDUKKI.

BY GOVERNMENT PLEADER MR.BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 28/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J.

W.P.(C) No.6775 of 2007

Dated, this the 28th day of February, 2007

JUDGMENT

The petitioner is working as Excise Guard in Idukki District. He commenced service on 27.6.2002. He completed the period of probation. However, the formal declaration of the probation has not been made by the second respondent whose duty it was to consider the case of the petitioner for probation and take appropriate decision. Feeling aggrieved by the delay the petitioner filed Ext.P3 representation before the second respondent on 27.7.2005. It appears that the service particulars of the petitioner have been furnished by the Circle Inspector of Excise.

2. Counsel for the petitioner submits that this Court may direct the second respondent to take an early decision on Ext.P3.

3. Heard Government Pleader for the respondents.

4. In the circumstances there shall be an order directing the second respondent to consider Ext.P3 with reference to all relevant facts and documents, take appropriate decision and

communicate the same to the petitioner within a period of one month from the date of receipt of a copy of this judgment.

Writ petition is disposed of as above. Petitioner shall produce a copy of the judgment and a copy of the writ petition before the second respondent for compliance.

K.K.DENESAN,
JUDGE

vns